

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 162

Introduced by McDonnell, 5.

Read first time January 09, 2023

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to crimes and offenses; to amend section
- 2 28-101, Revised Statutes Cumulative Supplement, 2022; to prohibit
- 3 tampering with an electronic monitoring device; to define a term; to
- 4 provide a penalty; to harmonize provisions; and to repeal the
- 5 original section.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 28-101, Revised Statutes Cumulative Supplement,
2 2022, is amended to read:

3 28-101 Sections 28-101 to 28-1357, 28-1601 to 28-1603, and 28-1701
4 and section 2 of this act shall be known and may be cited as the Nebraska
5 Criminal Code.

6 Sec. 2. (1) A person shall not intentionally and without authority:

7 (a) Remove, destroy, alter, tamper with, damage, or circumvent the
8 operation of an electronic monitoring device required to be worn or used
9 by that person or another person pursuant to a court order or as a
10 condition of parole; or

11 (b) Request, authorize, or solicit a person to remove, destroy,
12 alter, tamper with, damage, or circumvent the operation of an electronic
13 monitoring device required to be worn or used by that person or another
14 person pursuant to a court order or as a condition of parole.

15 (2) A violation of this section is a Class IV felony.

16 (3) For purposes of this section, electronic monitoring device means
17 a device used to track the location of a person.

18 Sec. 3. Original section 28-101, Revised Statutes Cumulative
19 Supplement, 2022, is repealed.